

**IN THE UNITED STATES DISTRICT COURT FOR THE
WESTERN DISTRICT OF OKLAHOMA**

MATTHEW GLEN MORROW,)	
)	
Plaintiff,)	
)	
v.)	Case No. CIV-09-633-M
)	
JUSTIN JONES, <i>et al.</i> ,)	
)	
Defendants.)	

ORDER

On August 26, 2011, the United States Magistrate Judge Robert E. Bacharach issued a Report and Recommendation in this action brought pursuant to 42 U.S.C. § 1983. The Magistrate Judge recommended that this Court dismiss this action against defendants Justin Jones, Debbie Morton, and Leo Brown because: (1) in defendants' official capacities, the Eleventh Amendment provides defendants immunity from 42 U.S.C. § 1983 and the Religious Land Use and Institutionalized Persons Act ("RLUIPA") claims; (2) plaintiff failed to allege personal participation in regards to his § 1983 claims; and (3) RLUIPA cannot be asserted against defendants in their individual capacities. The parties were advised of their right to object to the Report and Recommendation by September 12, 2011. To date, neither parties has filed an objection.

Upon de novo review, the Court:

- (1) ADOPTS the Report and Recommendation issued by the Magistrate Judge on August 26, 2011 [docket 199]; and
- (2) DISMISSES this action against defendants Justin Jones, Debbie Morton, and Leo Brown.

IT IS SO ORDERED this 13th day of October, 2011.


VICKI MILES-LAGRANGE
CHIEF UNITED STATES DISTRICT JUDGE